

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:11CR3017
)	
v.)	
)	MEMORANDUM AND ORDER
JASON J. SVOBODA, DOUGLAS D.)	
GEORGE,)	
)	
Defendants.)	

The government has moved to continue the trial currently set for September 19, 2011. (Filing No. 23.) As explained in the government's motion, prosecution witnesses have not been available for trial preparation, and the a government witness and the government's lawyer cannot reasonably be available and prepared for a trial commencing on September 19, 2011. The defendants do not oppose the requested continuance. The court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) The government's motion to continue, (filing no. 23), is granted.
- 2) The trial of this case is set to commence before the Honorable Richard G. Kopf at 9:00 a.m. on December 5, 2011, or as soon thereafter as the case may be called, for a duration of four (4) trial days, in Courtroom 1, United States Courthouse, Lincoln, Nebraska. Jury selection will be held at commencement of trial.
- 3) Based upon the showing set forth in the government's motion and the representations of its counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendants and the public in a speedy trial. Accordingly, the time between September 19, 2011 and December 5, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7)(A).

August 31, 2011

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge